

- I. Claims 1, 20, 45 and their dependent claims drawn to a valve apparatus/connector band.
- II. Claims 12, 34, 55 and their dependent claims, drawn to a method for attaching a valve to a tissue annulus.

The Examiner has also determined that there are allegedly eight patentably distinct species of the claimed invention described in the above-identified application, and has required applicants to select one species for prosecution.

The species identified by the Examiner are:

Species 1 - figure 1

Species 2 - figure 3

Species 3 - figure 5

Species 4 - figure 7

Species 5 - figure 9

Species 6 - figure 11

Species 7 - figure 12

Species 8 - figure 14

Applicants' Reply to the
Restriction Requirement

Applicants elect without traverse the invention of Group I and claims 1-11, 20-33, and 45-54 which pertain thereto for examination in this application. This selection

is expressly without waiver of applicants' rights to pursue claims in Group II in one or more divisional applications.

Applicants' Reply to the
Election Requirement

Applicants provisionally elect with traverse, for initial substantive examination in this application, Species 4, illustrated in FIG. 7, as required under 35 U.S.C. § 121. The Examiner has taken the position that no claim is generic. Applicants respectfully disagree and submit that at least claim 1 is generic to species 1, 2, 4, and 5. The election of species requirement is traversed to that extent. Specifically, the following table shows where the features of claim 1 are present in each claim of species 1, 2, 4, and 5.

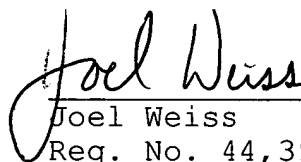
Features of Claim 1	Species 1 (FIG. 1)	Species 2 (FIG. 3)	Species 4 (FIG. 7)	Species 5 (FIG. 9)
a uni-directional valve portion	120	Not Numbered	Not Numbered	Not Numbered
a connector band	150	310	710	910
a plurality of fingers	130	330	730	930

Applicants understand that, pursuant to 37 C.F.R. § 1.141, if no generic claim is allowed, the application will be restricted to the limits of the elected claims. However, if a generic claim is allowed, the nonelected species will rejoin this application.

Conclusion

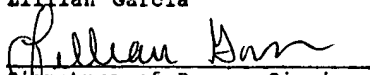
Applicants have elected for examination of a single claimed species of the claimed invention, as required by the Examiner. An early and favorable action is respectfully requested.

Respectfully submitted,


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